

Small Business Administration

§ 117.3

PART 117—NONDISCRIMINATION IN FEDERALLY ASSISTED PRO- GRAMS OF SBA—EFFECTUATION OF THE AGE DISCRIMINATION ACT OF 1975, AS AMENDED

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APPENDIX A TO PART 117

AUTHORITY: Age Discrimination Act of 1975,
42 U.S.C. 6101 *et seq.*

SOURCE: 50 FR 41648, Oct. 11, 1985, unless
otherwise noted.

§ 117.1 Purpose.

The purpose of this part is to effec-
tuate the provisions of The Age Dis-
crimination Act of 1975, as amended
(hereinafter referred to as the *Act*), to
the end that no person in the United
States shall, on the basis of age, be ex-
cluded from participation in, be denied
the benefits of, or be subjected to dis-
crimination under programs receiving
financial assistance or any financial
activities of the Small Business Ad-
ministration to which this Act applies.
The Act also permits recipients of Fed-
eral funds to continue to use certain
age distinctions and other factors
other than age which meet the require-
ments of the Act and these regulations
in the conduct of programs and the
provision of services to the public.

§ 117.2 Application of this part.

(a) This part applies to all recipients
of assistance under programs adminis-

tered by the Small Business Adminis-
tration and to programs of financial as-
sistance by the Small Business Admin-
istration, whether or not listed in ap-
pendix A.

(b) For the purposes of this part, the
prohibition against age discrimination
applies to natural persons of all ages.

(c) This part does not apply to the
employment practices of any recipi-
ents.

§ 117.3 Definitions.

As used in this part:

(a) The term *act* means the Age Dis-
crimination Act of 1975, as amended
(Title III of Pub. L. 94-135).

(b) The term *action* means any act,
activity, policy, rule, standard, or
method of administration; or the use of
any policy, rule, standard, or method
of administration.

(c) The term *age* means how old a
person is, or the number of years from
the date of a person's birth.

(d) The term *age distinction* means
any action using age or an age-related
term.

(e) The term *age-related* means a word
or words which necessarily imply a
particular age or range of ages (for ex-
ample, *children*, *adult*, *older persons*, but
not *student*).

(f) The term *agency* means a Federal
department or agency that is empow-
ered to extend financial assistance.

(g) The term *applicant* means one who
applies for Federal financial assist-
ance.

(h) The term *Federal financial assist-
ance* includes: (1) Grants and loans of
Federal funds; (2) the grant or donation
of Federal property and interests in
property; (3) the detail of Federal per-
sonnel; (4) the sale and lease of, and the
permission to use (on other than a cas-
ual or transient basis), Federal prop-
erty or any interest in such property
without consideration, or at a nominal
consideration, or at a consideration
which is reduced for the purpose of as-
sisting the recipient, or in recognition
of the public interest to be served by
such sale or lease to the recipient; and
(5) any Federal agreement, arrange-
ment, or other contract which has as
one of its purposes the provision of as-
sistance.